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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,481	02/05/2004	David J. Coxon	02-ELT-833	4981

7590

04/15/2005

Paul S. Rulon
1111 Superior Avenue
Cleveland, OH 44114

EXAMINER

BONCK, RODNEY H

ART UNIT PAPER NUMBER

3681

DATE MAILED: 04/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/772,481

Applicant(s)

COXON ET AL.

Examiner

Rodney H. Bonck

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 02/05/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

The following is a first action on the merits of application Serial No.10/772,481, filed February 5, 2004.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

Receipt is acknowledged of the Information Disclosure Statement filed February 5, 2004. The cited documents have been considered.

Specification

The disclosure is objected to because of the following informalities:

In line 8 of page 1, "pre-en rgiz r" should be – pre-energizer --.

In line 16 of page 1, "synchronizes" should be – synchronizers --.

The reference to a specific claim number (line 25 of page 1) is objected to because the claims can be amended, renumbered, or canceled during prosecution, rendering meaningless the reference thereto.

In line 26 of page 2, "alone" should be – along --.

In the last line of page 2, "Detailed Description of the Drawings" should be
-- Detailed Description of the Drawings --.

In line 12 of page 3, "gears" should be -- gears --.

In line 16 of page 3, "affixed" should be -- affixed --.

In line 32 of page 3, "includes" should be -- includes --.

In line 29 of page 4, "mate" should be -- mate --.

In line 15 of page 5, "wear" should be -- wear --.

In line 32 of page 6, "reached" should be -- reached --.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Nellums('437). Nellums discloses a synchronizer including a hub 32, first and second jaw teeth 28,30, a shift sleeve 34, first and second friction surfaces 24,26, first and second blocker surfaces 44,46, pre-energizing means 52, first and second self-energizing surfaces 70a,70b separated by non-self-energizing surfaces 70c, third and fourth self-energizing surfaces 72a,72b separated by non-self-energizing surfaces 72c, a member 63 mounted on the shift sleeve, and detent means 62. The hub includes an

annular flange defining external splines 38 and has a radial bore receiving resilient means 58 for biasing the follower 62 into engagement with a detent in the sleeve. The detent is formed at 63a in a radially inward facing surface of the internal splines 36.

Conclusion

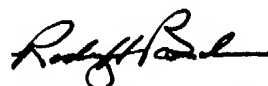
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jackson(US 2003/0006116 A1), Braun('727), and Braun et al.('516) show similar synchronizers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney H. Bonck whose telephone number is (571) 272-7089. The examiner can normally be reached on Monday-Friday 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3681

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rodney H. Bonck
Primary Examiner
Art Unit 3681

rhb
April 11, 2005

Complete if Known

(Use as many sheets as necessary)

Sheet	1	of	1
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Attorney Docket Number	02-ELT-833
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[illegible]

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY		
RLS		EP 0 663 541 A1	07-19-1995	Braun, Eugen	-
RLS		DE 1 098 824	02-02-1961	Ott, Matthias	-

**Examiner
Signature**

Rodney H. Bonck

Date _____

	Not Considered	Considered
1. The proposed project would require the construction of new buildings.		
2. The proposed project would require the construction of new parking lots or other paved areas.		
3. The proposed project would require the construction of new roads or highways.		
4. The proposed project would require the construction of new bridges or culverts.		
5. The proposed project would require the construction of new water supply facilities.		
6. The proposed project would require the construction of new sewerage treatment plants.		
7. The proposed project would require the construction of new stormwater management facilities.		
8. The proposed project would require the construction of new flood control facilities.		
9. The proposed project would require the construction of new levees or dikes.		
10. The proposed project would require the construction of new coastal protection structures.		
11. The proposed project would require the construction of new erosion control measures.		
12. The proposed project would require the construction of new sedimentation basins.		
13. The proposed project would require the construction of new detention ponds.		
14. The proposed project would require the construction of new retention ponds.		
15. The proposed project would require the construction of new infiltration systems.		
16. The proposed project would require the construction of new rainwater harvesting systems.		
17. The proposed project would require the construction of new green roofs.		
18. The proposed project would require the construction of new permeable pavements.		
19. The proposed project would require the construction of new vegetated swales.		
20. The proposed project would require the construction of new bio-retention systems.		
21. The proposed project would require the construction of new sand filters.		
22. The proposed project would require the construction of new gravel filters.		
23. The proposed project would require the construction of new silt traps.		
24. The proposed project would require the construction of new oil separators.		
25. The proposed project would require the construction of new trash enclosures.		
26. The proposed project would require the construction of new composting facilities.		
27. The proposed project would require the construction of new recycling centers.		
28. The proposed project would require the construction of new hazardous waste treatment facilities.		
29. The proposed project would require the construction of new incinerators.		
30. The proposed project would require the construction of new landfills.		
31. The proposed project would require the construction of new open-pit mines.		
32. The proposed project would require the construction of new underground mines.		
33. The proposed project would require the construction of new processing plants.		
34. The proposed project would require the construction of new storage tanks.		
35. The proposed project would require the construction of new pipelines.		
36. The proposed project would require the construction of new pumping stations.		
37. The proposed project would require the construction of new distribution networks.		
38. The proposed project would require the construction of new collection systems.		
39. The proposed project would require the construction of new treatment plants.		
40. The proposed project would require the construction of new effluent discharge facilities.		
41. The proposed project would require the construction of new monitoring stations.		
42. The proposed project would require the construction of new data recording equipment.		
43. The proposed project would require the construction of new communication systems.		
44. The proposed project would require the construction of new security systems.		
45. The proposed project would require the construction of new fire alarm systems.		
46. The proposed project would require the construction of new emergency response facilities.		
47. The proposed project would require the construction of new first aid stations.		
48. The proposed project would require the construction of new medical clinics.		
49. The proposed project would require the construction of new hospitals.		
50. The proposed project would require the construction of new nursing homes.		
51. The proposed project would require the construction of new day care centers.		
52. The proposed project would require the construction of new schools.		
53. The proposed project would require the construction of new universities.		
54. The proposed project would require the construction of new research laboratories.		
55. The proposed project would require the construction of new government offices.		
56. The proposed project would require the construction of new police stations.		
57. The proposed project would require the construction of new fire stations.		
58. The proposed project would require the construction of new ambulance bases.		
59. The proposed project would require the construction of new public works departments.		
60. The proposed project would require the construction of new utility companies.		
61. The proposed project would require the construction of new telecommunications companies.		
62. The proposed project would require the construction of new media outlets.		
63. The proposed project would require the construction of new entertainment venues.		
64. The proposed project would require the construction of new sports stadiums.		
65. The proposed project would require the construction of new shopping malls.		
66. The proposed project would require the construction of new office buildings.		
67. The proposed project would require the construction of new hotels.		
68. The proposed project would require the construction of new restaurants.		
69. The proposed project would require the construction of new retail stores.		
70. The proposed project would require the construction of new service centers.		
71. The proposed project would require the construction of new repair shops.		
72. The proposed project would require the construction of new car washes.		
73. The proposed project would require the construction of new gas stations.		
74. The proposed project would require the construction of new convenience stores.		
75. The proposed project would require the construction of new pharmacies.		
76. The proposed project would require the construction of new grocery stores.		
77. The proposed project would require the construction of new hardware stores.		
78. The proposed project would require the construction of new home improvement stores.		
79. The proposed project would require the construction of new furniture stores.		
80. The proposed project would require the construction of new clothing stores.		
81. The proposed project would require the construction of new electronics stores.		
82. The proposed project would require the construction of new bookstores.		
83. The proposed project would require the construction of new record stores.		
84. The proposed project would require the construction of new video rental stores.		
85. The proposed project would require the construction of new toy stores.		
86. The proposed project would require the construction of new hobby stores.		
87. The proposed project would require the construction of new garden centers.		
88. The proposed project would require the construction of new pet stores.		
89. The proposed project would require the construction of new florists.		
90. The proposed project would require the construction of new hair salons.		
91. The proposed project would require the construction of new nail salons.		
92. The proposed project would require the construction of new spas.		
93. The proposed project would require the construction of new massage parlors.		
94. The proposed project would require the construction of new tanning beds.		
95. The proposed project would require the construction of new beauty salons.		
96. The proposed project would require the construction of new tattoo parlors.		
97. The proposed project would require the construction of new piercing studios.		
98. The proposed project would require the construction of new body art studios.		
99. The proposed project would require the construction of new tattoo removal clinics.		
100. The proposed project would require the construction of new skin care clinics.		

04/11/05

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 808. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 801.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.18 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

BEST AVAILABLE COPY

Notice of References Cited	Application/Control No. 10/772,481	Applicant(s)/Patent Under Reexamination COXON ET AL.	
	Examiner Rodney H. Bonck	Art Unit 3681	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-2003/0006116 A1	01-2003	Jackson, Graeme A.	192/53.31
	B	US-5,544,727	08-1996	Braun, Eugene R.	192/53.31
	C	US-5,588,516	12-1996	Braun et al.	74/339
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

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	P					
	Q					
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	S					
	T					

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	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
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